

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, ADOPTING THE FOLLOWING LEESBURG INTERNATIONAL AIRPORT RULES AND REGULATIONS, EFFECTIVE UPON PASSAGE OF THIS RESOLUTION; REPEALING ANY AIRPORT RULES AND REGULATIONS HERETOFORE IN FORCE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Leesburg, created under and pursuant to the Laws of the State of Florida, hereinafter referred to as "City" owns the public airport known as Leesburg International Airport (LEE) hereinafter referred to as "Airport;"

WHEREAS, the City desires to establish Rules and Regulations at the Airport to protect the public's health, safety, and interest;

WHEREAS, the City, in recognition of contractual obligations contained in certain contracts between said Airport and the United States of America relative to the expenditure of Federal funds for the development and operation of said Airport, desires to ensure safety and efficiency of aircraft operations and to protect the public using the Airport;

NOW, THEREFORE, the City Commission of the City of Leesburg, Florida, hereby resolves that the following are adopted as the Rules and Regulations applicable to Leesburg International Airport, to assure the use of the Airport shall be in a manner that will eliminate hazards to aircraft, and people and structures on the ground. For those purposes the following are adopted as the "Rules and Regulations":

SECTION I.

STATEMENT OF POLICY

It is the intent of the City Commission of the City of Leesburg to provide rules and regulations for the operation and management of the Airport owned by the City of Leesburg and under its jurisdiction, to ensure the adequate protection of the health, safety and welfare of the traveling public and the residents of the City of Leesburg, Florida. The provisions of these rules and regulations shall be liberally construed so as to effectively carry out their purposes in the interest of the public health, safety, and welfare.

DEFINITIONS

Abandoned Property – Any tangible personal property which has been disposed of on Airport property, whether the property is operative or inoperative.

Aircraft – Any contrivance now known or hereafter invented, used or designated for navigation of or flight in air.

Airport – The Leesburg International Airport, owned by the City of Leesburg, Florida.

Airport Manager – The person, designated by the City Manager, responsible for the management and operation of the Airport.

Airport Movement Area (AMA) – The runways, taxiways, and other areas of the Airport under the control of the ATCT which are used for taxiing, takeoff, and landing of aircraft, exclusive of aprons and ramps.

Airport Operations Area (AOA) – Any portion of the Airport used for landing, taking off, or surface maneuvering of aircraft, and surrounding airside areas.

Air Traffic Control Tower (ATCT) – FAA contract control tower, located at the Leesburg International Airport.

Airside – Area lying inside the security fence to include hangars, aprons, ramps, taxiways, and runways.

Apron or Ramp – Area of the Airport designated by the Airport Manager for the loading, unloading, servicing, and parking of aircraft.

Commercial activity – The conduct of any aspect of a business or concession on the Airport for revenue, or expectation of revenue.

Fixed Base Operator (FBO) – An individual, group, or organization granted the right by the Airport to operate on the Airport and provide aeronautical services such as fueling, Aircraft storage, tie-down and parking, Aircraft rental, Aircraft maintenance, flight instruction, etc.

FAA – The Federal Aviation Administration of the United States of America, its successors and assigns.

Motor vehicle or vehicle – A device in, upon, or by which a person or property may be propelled, moved, or drawn upon land or water, except a device moved by human or animal power. This definition does not include aircraft, trains, or devices moved exclusively upon stationary rails or tracks.

NFPA – National Fire Protection Association.

Nonmovement Area – Areas of the Airport designed for the surface maneuvering of aircraft not under the control of the ATCT.

Operator – Any person who is in actual physical control of an aircraft or motor vehicle.

Park – To put, leave, or allow a vehicle or aircraft to stand or stop in any location whether the operator thereof leaves or remains in such vehicle or aircraft, when such standing or stopping is not required by traffic controls or conditions beyond the control of the operator of the vehicle or aircraft.

Permittee – Any individual, group, or organization authorized by license, lease, or other written agreement to be at or on the Airport.

Restricted Area – Any area of the Airport that prohibits entry or limits entry or access to specific authorized persons or vehicles.

Runup – Engine operation above normal idle power for purposes other than initiating taxi.

Rules and Regulations – The Rules and Regulations of the Airport, as amended from time to time by the City.

Weapon – A gun, knife, blackjack, slingshot, metal knuckles, or any explosive device, or any other similar instrument capable of being utilized to coerce, intimidate or injure a person or property.

GENERAL PROVISIONS

Amendments, additions, deletions or corrections to these Rules and Regulations may be initiated by the City as conditions warrant.

At any time a section of this article requires or permits the Airport Manager to vary or waive a requirement of this article, the Airport Manager shall make such decision to vary or waive after determining that such action will not adversely affect: flight safety; ground safety; and effective and efficient operation of the Airport.

The Airport Manager and designated representatives are authorized to enforce these rules and regulations.

A violation of these rules and regulations may result in revocation of ramp access privileges, termination of lease agreements, denial of use of airport, civil penalty, and/or prosecution under applicable Federal and Florida State Laws.

The City reserves the right to remove and/or deny use of the airport to any individual, group, or organization who is judged by the Airport Manager to be threatening Airport security, creating nuisance, and/or endangering the public's safety, health, or welfare.

Any individual, group, or organization denied use of the Airport due to violation of these regulations may only use the Airport for the purpose of enplaning or deplaning aircraft using the Airport. Such individual, group, or organization may appeal such decision to the City Manager in writing.

Voiding of any particular rule or regulation contained herein shall not affect the validity of the remainder of these regulations.

APPLICABILITY AND COMPLIANCE

All individuals, groups, and organizations entering or using the Airport property shall be governed by these rules and regulations.

These rules and regulations may be applied retroactively if the City determines that such action(s) will protect the public's health, safety, and interest and/or in order to comply with any Federal or State regulation.

CITY LIABILITY

The City assumes no responsibility or liability for loss, injury, or damage to persons or property on the Airport or using Airport facilities, including but not limited to fire, vandalism, wind, flood, or collision damage, nor does it assume any liability by reason of injury to person or property while using the facilities of same.

CITY HELD HARMLESS

The privilege of using the Airport and its facilities shall be conditioned on the assumption by the user thereof of full responsibility and risk for such use, and the user thereof releases and agrees to hold the City and its officers and employees harmless, and to indemnify them from any liability or loss resulting from the use.

AIRCRAFT OPERATIONS

All aeronautical activities at the Airport shall conform to the current applicable provisions of the Federal Aviation Administration Regulations and Orders and applicable laws, rules, regulations, standards, policies, and other lawful instructions issued by the FAA, the City, or the Air Traffic Control Tower.

The City may deny the use of the Airport to any individual, group, or organization in violation of these regulations or any violations of the Federal Aviation Regulations.

The City may prohibit aircraft operations when it is determined that conditions are such that continued operations would be unsafe. The City may issue a Notice to Airmen (NOTAM) to close all or any portion of the Airport; or to terminate or restrict any activity thereon.

At operator's request, the City may have any individual, group, or organization who creates a nuisance or a threat to person, property, or aircraft removed from Airport property and/or from an aircraft on Airport property.

The operation of an aircraft in a careless or negligent manner, or in disregard of the rights and safety of others, or without due caution, or at a speed or in a manner which does or is likely to endanger persons or property, is prohibited on Airport property.

Aircraft operators shall obey all pavement markings, signage, and lighted signals.

The positioning, starting, or taxiing of any aircraft shall be done in such a manner so as not to cause propeller slipstream or jet blast that may result in injury to persons or damage to property.

Aircraft shall be parked only in those areas designated for such purpose by the City and shall be positioned in such a manner so as not to block taxi lanes, taxiways, runways, obstruct access to hangars, parked aircraft, or vehicles.

Aircraft operators will ensure that aircraft are properly secured when parked.

During ATCT's operational hours, all aircraft must obtain ATCT approval prior to entry onto the airport movement areas, and comply with clearances or instructions issued to them while operating on those areas.

Maintenance engine runups of jet, turboprop, or piston engines shall be performed only at the designated areas and/or as directed by the Airport Manager or ATCT.

Leaving an aircraft unattended with an engine running is prohibited.

Fixed wing aircraft taking off or landing at the Airport shall do so only from designated runways.

Operators shall familiarize themselves with published noise abatement procedures.

No helicopter shall be operated within fifty (50) feet of any building. Helicopters shall operate only from areas approved by the City, Airport Manager, and ATCT.

Derelict, non-airworthy, or damaged aircraft in obvious need of major repairs, at the Airport Manager's sole discretion, shall not be permitted within the tie-down or ramp areas. The City may remove the aircraft upon a 10-day notice at the sole expense and risk of the owner.

All aircraft stored on the Airport, as required by Federal and/or State regulations, shall be properly registered with the FAA or the proper foreign agency.

Abandoning aircraft anywhere on the Airport is prohibited. The City may remove abandoned aircraft at the sole expense and risk of the owner.

Aircraft maintenance on the Airport is permitted only in areas designated by the City.

Aircraft maintenance within hangars is limited to that specifically permitted by the type rating established in the Uniform Building Code and in compliance with the directives of the Fire Marshal.

Aircraft painting shall be performed only in hangars officially approved for that activity.

Cleaning of Aircraft parts and other equipment shall preferably be done with non-flammable cleaning agents or solvents. When the use of flammable solvents cannot be avoided, it shall be used according to its Material Safety Data Sheet, special precautions shall be taken to eliminate ignition sources, and in compliance with recommendations of the NFPA.

Aircraft over 65,000 lbs. Dual Tandem Wheel Maximum Gross Takeoff Weight may be operated on the Airport, only after receiving authorization by the Airport Manager.

The Airport Manager or authorized representative shall have the right at any time to close the Airport in its entirety or any portion thereof to air traffic, to delay or restrict any flight or other Aircraft operation, to direct the refusal of takeoff permission to Aircraft, and to deny the use of the Airport or any portion thereof to any specified class of Aircraft or to any individual, group, or organization when he or she considers any such action to be necessary and desirable to avoid endangering persons or property and to be consistent with the safe and proper operation of the Airport.

The operator or owner of an aircraft involved in an on-Airport accident or incident resulting in any injury to person or damage to property shall notify the Airport Manager and emergency services immediately.

An aircraft involved in an accident on the Airport may not be removed from the scene of the accident until authorized by the Airport Manager, who shall receive removal authorization from the Flight Standards District Office or National Transportation Safety Board, when applicable.

Once authorization for removal of a disabled aircraft has been issued, the owner or operator shall make immediate arrangements to have the aircraft removed. If removal is not initiated within a reasonable amount of time, the City may have the aircraft removed at the owners risk and expense.

MOTOR VEHICLE OPERATIONS

All motor vehicle operators on the Airport shall comply fully with the State of Florida Motor Vehicle Laws, as amended, and with all Airport Regulations and instructions issued by the Airport Manager or law enforcement personnel.

Unless otherwise authorized by the Airport Manager, the operator of all vehicles operating on the Airport Operations Area (AOA) must be registered with the Airport under the badge program or escorted by an individual who is.

All vehicles must obtain ATCT approval prior to entry onto the airport movement areas and comply with clearances or instructions issued to them while operating on those areas.

The use of motorhomes, mini-bikes, go-carts, roller blading, skate boarding, bicycles, and other like contrivances is not permitted on the AOA. However, the limited use of bicycles on the ramp may be authorized by the Airport Manager when such use is consistent with the intent and purpose of these regulations and will not create a hazard to aircraft or motor vehicles.

Private Vehicles are not permitted on Taxiways or Runways unless escorted by Airport staff.

All vehicle operators are required to obey posted regulatory signs and all instructions or directives of the City.

Except for authorized emergency vehicles, the maximum allowable speed on the ramp and aprons is 15 miles per hour.

Vehicles shall give way to aircraft, pedestrians, emergency vehicles and equipment, and airport vehicles, at all times.

Vehicles may not pass taxiing aircraft and may never proceed closer than 50 ft. to a taxiing aircraft.

Parking is permitted in designated areas only.

Abandoning vehicles or displaying vehicles for sale on the airport is prohibited, unless authorized by the Airport Manager.

Vehicles in violation of any vehicle regulation may be towed by the City at the owner's risk and expense.

Buses, taxicabs, and limousines may deliver customers to the Airport or may pick up customers from the Airport if specifically requested to do so by persons. Buses, taxicabs and limousines may not solicit customers on the Airport unless authorized to do so by the Airport Manager.

Only rental car companies and shuttle bus services that have received authorization from the City may conduct business on the Airport.

The Airport Manager may cause removal from any areas of the airport of any vehicle that is disabled, abandoned or parked in violation of the provisions of these regulations, or that presents an operational problem to any other areas on the airport, at the owner's expense, and without liability for damage which may result in the course of such action.

No person shall operate any motor vehicle or motorized equipment at the airport who is a habitual user of narcotic drugs, or who is under the influence of alcoholic beverages or controlled substances, or central nervous system stimulants or depressants, as defined by Florida Law.

PERSONAL CONDUCT

All pedestrians must obtain ATCT approval prior to entry onto the airport movement areas and comply with clearances or instructions issued to them while operating on those areas.

Destroying, injuring, defacing, disturbing, removing or tampering with any man-made or natural Airport property is prohibited. Any person who causes damage to Airport property shall be liable for such damage.

Written advertisements and handbills may be posted or distributed on airport property only with the prior authorization of the Airport Manager.

The posting or distributing of handbills or written advertisements on aircraft or vehicles is prohibited.

Use of the public area of any building or area of the Airport for sleeping or other purposes in lieu of a hotel, motel, or other public accommodation is prohibited.

No person shall commit any disorderly, indecent, lewd, or unlawful act or commit any nuisance on the Airport.

No person shall litter any area of the Airport and each person shall ensure that all trash and refuse is properly disposed of in the appropriate container.

Interference with the safe operation of any aircraft landing at, taking off from, or operating on the Airport is prohibited.

Domestic pets, except for working dogs, are not permitted on the AOA unless restrained by leash or container. The pet's owner or custodian is responsible for collecting and properly disposing the pet's excrements.

Unauthorized hunting and trapping on the Airport is prohibited.

Articles found in public areas at the Airport shall be turned into the Airport Manager. Articles unclaimed by their proper owner within 30 days may be turned over to the finders thereof or otherwise legally disposed of.

No person shall make, possess, use, offer for sale, pass or deliver any forged or falsely altered pass, permit, identification, card, sign or other authorization purporting to be issued by or on behalf of the City.

All signs installed on the Airport must be approved in writing by the proper City department and by the Airport Manager, and where required permits must be obtained prior to construction or posting of any sign.

Persons shall not enter any restricted area without the prior authorization of the Airport Manager.

Tampering or interfering with any lock or closing mechanism, or breaching any other securing device, is prohibited except under emergency situations.

No person shall place, dump or otherwise dispose of any refuse debris upon, on, at or about the airport, or burn such refuse or debris, without written permission of the Airport Manager.

All persons are prohibited from entering the runways, taxiways, ramp apron, utility and service areas, or other areas as may be designated as restricted except (1) persons assigned to duty thereon; (2) Bona fide aviators in the course of their business; (3) Passengers under appropriate supervision enplaning or deplaning; (4) Other persons as authorized by the Airport Manager

CONSTRUCTION ON THE AIRPORT

Any construction or alteration taking place on Airport property shall be performed in compliance with the City rules and regulations after review and approval by the Airport Manager and other applicable Departments of the City.

COMMERCIAL AERONAUTICAL ACTIVITIES

All commercial aeronautical activities rendered to the public on the Airport must be approved by the City under the Minimum Standards for Aeronautical Activities. However, special services may be rendered or special facilities may be provided on such terms as the City may prescribe from time to time.

FIRE, STORAGE, AND DISPOSAL

The use and storage of all flammables, hazardous liquids and materials shall be in compliance with the most current State of Florida Statutes and City ordinances, the Uniform Fire Code, the regulations of the Florida Department of Environmental Protection, and the City's Storm Water Management Plan.

Open flame operations may be conducted on the Airport only in designated areas and with the prior, written authorization of the Airport Manager and the Fire Chief.

The placement of any storage container, locker, structure or bin on the Airport ramp areas must comply with the Uniform Fire Code and be approved by the City as to type, placement, size and color.

Lubricating oils and hazardous liquids shall be disposed of and or stored in a manner compatible with the City's published procedures and Storm Water Management Plan, the Uniform Fire Code and the Florida Statutes.

No fuels, oils, dopes, paints, solvents, acids or any other hazardous liquids shall be disposed of or dumped in drains, on ramp areas, catch basins or ditches or elsewhere on the Airport.

Unless otherwise provided in a lease or other agreement, no person shall use any areas of the Airport for the storage of property without permission of the Airport Manager. The storage of waste materials and trash at the Airport is prohibited unless it is placed in suitable receptacles with self-closing covers.

Smoking, matches, lighters and open flame are prohibited within 50 ft. of any aircraft and within 100 ft. of any fuel storage area or any aircraft being fueled or defueled.

Hangar floors shall be kept free from the accumulation of oil, grease, flammable liquids, rags, or other waste materials.

Drip pans shall be placed under any stored aircraft that leaks, or otherwise at the request of the City.

Any person who experiences overflowing or spilling of oil, grease, fuel or similar material anywhere on the Airport is responsible for the immediate clean-up of the spill and notification of the Airport Manager. Failure to clean the area may result in the Airport providing the cleanup at the expense of the responsible party.

Doping processes, painting, or paint stripping shall be performed only in hangars approved for that activity, and in compliance with the Uniform Fire Code and City Storm Water Management Plan.

All empty oil, paint and varnish cans, bottles, or other containers shall be removed from the premises in a timely manner and shall not remain on the floor, wall stringers, or overhead storage areas of the hangars, shops, or other buildings.

No empty boxes, crates, rubbish, paper, or litter of any kind shall be permitted to be disposed or stored in or about the hangars and AOA.

All heating equipment and fuel burning appliances installed on the Airport shall comply with the requirements of City of Leesburg, the Uniform Fire Code, and the Fire Chief.

Any fuel spillage must be reported immediately to the Airport Manager.

FUELING OPERATIONS

Fueling of aircraft on the Airport shall be performed only as approved by the City under the Minimum Standards for Aeronautical Activities and shall comply with all applicable laws, rules, regulations, orders, procedures, and standards.

All fueling operations on the Airport shall be in accordance with the directives of the Airport Manager, Fire Chief, and the Uniform Fire Code.

All fueling agents on the Airport will be subject to inspections of the vehicles and facilities as required by FAA regulations and other applicable rules and regulations. Any violations not corrected in allotted time will result in suspension of fueling practices until corrected.

No aircraft shall be fueled while an engine is running or while parked inside a fixed structure, unless prior authorization has been received from the Airport Manager.

Fueling or defueling operations shall be conducted with adequate fire extinguishers immediately available. All extinguishers shall be inspected and certified annually as required by law and all personnel involved with fueling operations shall be properly trained on the use of fire extinguishers.

Starting an aircraft when there is any flammable liquid on the ground in the immediate vicinity of the aircraft is prohibited.

No aircraft shall be fueled or defueled if an electrical storm is in progress within 3 miles of the Airport and/or until 15 minutes after the last thunder clap is heard.

During fueling or defueling, the aircraft and the dispensing apparatus shall both be bonded to prevent ignition of volatile liquids.

Fueling vehicle operators shall not operate the vehicle in reverse anywhere on the Airport unless an attendant is present outside the vehicle to assist.

No aircraft shall be fueled or defueled while passengers are on board, unless the door is in the open position and an attendant is present. If an incapacitated patient is on board during fueling operations, the Fire Department personnel must be standing by at the scene.

Persons engaged in the fueling of aircraft shall exercise care to prevent overflow of fuel and shall be responsible for the immediate cleanup if spillage should occur.

All mobile refuelers and portable fuel tanks must meet applicable EPA and Uniform Fire Codes.

SECURITY

No person may enter or be on the AOA unless he or she is:

- a. In possession of a Leesburg International Airport Identification Badge and in their authorized area; or
- b. Being escorted by a person who is in possession of a Leesburg International Airport Identification Badge and in their authorized area; or
- c. In case of an authorized lessee with customers, guests, or persons requiring access to their immediate leasehold with escort by a person who is an employee or representative of said

lessee and in possession of a Leesburg International Airport Identification Badge and in their authorized area.

All persons within the Airport Operations Area must be able to provide their issued identification badge immediately when challenged by any badged individual.

Responsibility to Challenge - It is the responsibility of every individual issued an airport identification badge allowing access to the AOA to:

- a. Challenge the authority or purpose of a person(s) who attempts to enter the AOA without possession of an identification badge and to prevent them from entering the AOA if a proper identification is not produced.
- b. Notify the Airport Manager or Leesburg Police Department immediately if the unauthorized person(s) will not leave the AOA.

It is the responsibility of every individual issued an airport identification badge allowing access through the gates to ensure that unauthorized individuals do not gain access to the secured areas while a gate is cycling.

Firearms, Explosives, Munitions, and Pyrotechnics - Except as authorized by Federal and Florida State laws, only person(s) authorized by the Airport Manager may be permitted to carry any Firearms, Explosives, Munitions, and Pyrotechnics on Airport property.

Discharge of any weapon on the Airport property, except in the performance of official duties or in the lawful defense of life or property, is prohibited.

Every individual, group, and organization must adhere to all other security procedures as outlined by the Airport Security Plan or issued by the Transportation Security Administration.

It is expressly prohibited for any individual, group, or organization to tamper with the gates, fence, or any other security equipment on the Airport without specific authorization from the Airport Manager.

Any person(s) who do not comply with or adhere to the Airport Security procedures can have their access privileges revoked and be trespassed from the Airport property.

FEES ESTABLISHED BY THE CITY COMMISSION

A schedule of Airport Fess shall be established by the City Commission from time to time and each individual, group, or organization subject to the fees shall promptly pay the amount due. A copy of the schedule shall be available at the Airport administration.

CIVIL PENALTY

It is unlawful for any individual, group, or organization to violate any of the provisions of this article. The Civil Penalty for each violation of any provision of this article, separately or conjunction with any other penalty and/or remedy, is \$50.00 per occurrence payable to the City of Leesburg in favor of the Airport.

CONFLICTING REGULATIONS

Where there exists a conflict between any regulation or limitation prescribed under this article and any other regulations applicable to the same area, the more stringent limitation or requirement shall govern and prevail.

SECTION II.

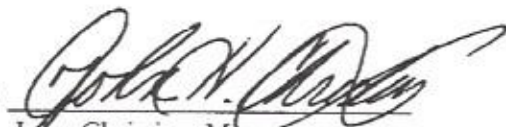
If any portion these Rules and Regulations is declared invalid or unenforceable, and to the extent that it is possible to do so without destroying the overall intent and effect of the Rules and Regulations, the portion deemed invalid or unenforceable shall be severed and the remainder of the Rules and Regulations shall continue in full force and effect as if enacted without including the portion found to be invalid or unenforceable.

SECTION III.

This Resolution shall become effective upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 28th day of July 2014.

THE CITY OF LEESBURG, FLORIDA

BY: 
John Christian, Mayor

ATTEST:


Betty Richardson, City Clerk